

Board of Mayor and Aldermen
Regular Meeting, Nolensville Elementary School
Thursday, May 5, 2005, 7:00 p.m.

Mayor Charles Knapper opened the meeting at 7:00 p.m. Members present were Mayor Knapper, Aldermen Jimmy Alexander, Joe Curtsinger, Tommy Dugger, and Larry Felts. Counsel Robert Notestine, Town Engineer Rich Woodroof and Recorder Cindy Lancaster. There were 24 citizens present.

Mr. Willis Wells led the prayer and pledge.

Mayor Knapper briefly went over the rules for the meeting. He then asked if there were any citizens that had comments.

Mr. Aubrey Short, 803 Rockwood Drive, noted he had written a letter to Williamson AM back in November 2004. He opposes the ordinance to opt out versus having a fire sprinkler. He noted that Ballenger Farms homes were extremely close and could be dangerous. Nolensville needs sprinklers and they save lives.

Mr. Bill Papas, 2034 Williams Road, stated that prior to moving to this area he had an opportunity to hear that Nolensville will require sprinkler systems in residential. He then distributed a document that he had retrieved from the FEMA website to Mayor Knapper. He went over various statistics outlined in this document. He noted that children and older adults are the individuals that die in fires. He also noted that the south has the highest death rate in fires. He stated that Tennessee ranked 8th in the United States in deaths related to fires. He asked the board to enact the sprinkler system as law.

There was no further citizen input.

Alderman Dugger made a motion to approve the minutes from April 7, 2005, Alderman Alexander seconded. The minutes were approved unanimously.

Alderman Felts made a motion to approve the treasurer's report, Alderman Dugger seconded. Recorder Lancaster noted that the cash on hand for the General Fund was \$680,803.31, with cash disbursements being \$50,000. State Street Aid cash on hand was \$128,447.82 with total cash on hand being \$809,251.13. The treasurer's report was unanimously approved.

Mr. Willis Wells Planning Commission Chair reported the following:

- There was a regular meeting and a special meeting last month.
- Fischbach Transportation discussed the plan.
- Five Star Gym site plan was approved.
- Phase I Bent Creek with sidewalks issue was passed.
- Underground utility to add overhead main feeder was approved.
- No change in bond report.
- Side yard setbacks were set at 7 ½ feet.
- Received a letter from Economic Development grant was received for water (\$216,000)
- Car wash passed unanimously at the special meeting
- Driveways at Bent Creek was passed at 18' unanimously.

Betty Friedlander reported for the Historic Commission:

- Noted that property owners will have a meeting to look at various ideas for downtown area.
- Thanked the Public Works Department for planting flowers.
- Hazardous waste collection will be this Saturday in Franklin.

Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

Chief Hughes began asking to save his comments for the sprinkler ordinance until the discussion of that ordinance. Alderman Dugger stated that he was suppose to have a workshop and has not. Chief Hughes stated that he had received an e-mail from Mayor Knapper to have the meeting within 10 days and could not get one set in that period of time. Mayor Knapper noted that Chief Hughes never contacted him to convey that and should have done so once he spoke to Mr. Crouch. He further stated that he would welcome anything new that the Chief had to say, although did not want to rehash the same comments that have been made in other meetings. He asked for the opinion of the board. Alderman Curtsinger stated that there was some issues that had changed in regards to commercial being eliminated and feels this needs to be addressed. Alderman Dugger stated that if the Chief has something new to say he would welcome those comments. Alderman Felts agreed. Chief Hughes then went forward with his report.

- In the process of building storage facility.
- Will visit the factory to look at new truck.
- Two new EMT's.
- The live in program is going well.
- Have not heard from FEMA grant.

Rich Woodroof, Town Engineer/Codes Official reported for the Codes Department.

- 143 inspections were performed.
- 48 residential permits issued.

Mayor Knapper noted that Codes department applicants have been interviewed by the Aldermen and hopefully will be hired in the next thirty (30) days.

Chief Jeff Goforth reported for the Police Department.

- Stated a written report was submitted.

Chief Goforth also thanked the board for allowing him to serve as the police chief for the past three years. He noted that he would be leaving on May 12.

Mayor Knapper reported for the Public Works

- Stated a written report was submitted.

Alderman Curtsinger reported for the town hall committee.

- The committee has examined a couple of plans.
- Ready to move forward and asked for a resolution to be initiated.

Mayor Knapper asked that it be presented to the Planning Commission prior to coming to this board for their approval. Alderman Curtsinger stated that the full committee be in attendance to present the plan.

Mayor Knapper's report:

Mayor Knapper noted that tree cutting is being performed by Middle Tennessee Electric. He noted that if a tree is taken down they will come out and replace the tree.

The Major Thoroughfare Plan will be presented to the Planning Commission next week.

Mayor Knapper has received word that the water grant had been obtained from the State and the Town will not be out any money. The money will come from various developers that will utilize the lines. Mayor Knapper also noted that they had received word that a road grant was approved for the road into Industrial Park/Blue Bell.

Mayor Knapper noted that Blue Bell will be coming through Nolensville on June 14, 15, and 16th to distribute ice cream.

There will be an infrastructure meeting on the 16th with the County. On the 25th there will be a Comprehensive Growth meeting and on the 11th there will be a meeting to discuss infrastructure with the County Mayor.

Second reading of ordinance #05-01, an ordinance to amend the sprinkler ordinance #04-02. Alderman Dugger made a motion to approve this ordinance, Mayor Knapper seconded. Counsel Notestine briefly went over this ordinance. Alderman Dugger opened the floor to Chief Hughes. Chief Hughes stated that this ordinance is missing several items. He pointed out that the back page says (\$1.25) and eighty cents. He noted that it is for only heated space. He stated that he spoke to a contractor in regards to cost and the contractor stated that it would cost at least \$1.50 per square foot to install. He noted that "Public Safety" was in the ordinance which would direct funding to various departments and not just the Fire Department. He further noted that the entire community does not benefit. He additionally stated that if the developer opts-out the ISO is effected.

Alderman Dugger stated that this ordinance addressed life safety for the whole community. It does not affect the ISO rating because of the 10' clause. He noted that Ray Crouch confirmed this footage. The issues of 3,000 square feet has been addressed and the amendment says heated only. As far as public safety if someone would like to amend this distribution Alderman Dugger is open to comments on that issue. Mayor Knapper stated that he would like to keep it in there for possible ambulance service for later years. Alderman Dugger stated that this ordinance lowers buildings connected from three to two. He further noted that the builder is going to pay one way or another.

Alderman Felts stated that he was concerned because this ordinance did not address commercial. Counsel Notestine noted that Section 3 in this ordinance addresses commercial. It was also noted that the International Building Code, which was adopted by this board, requires commercial sprinklers.

Alderman Dugger stated that originally the figure was \$.80. The individual he spoke to stated that it would cost approximately \$1.00 to \$1.20, therefore the \$1.25 was put in the ordinance. Chief Hughes stated that he would call the contractor that is currently building in Bent Creek and allow Alderman Dugger to speak to him. He stated that this

is a modified loop system and \$1.50 is a valid cost.

Alderman Alexander stated that this has been the toughest situation he has had to deal with and he is having trouble with the end loop. He stated that he would like to eliminate the end loop.

Alderman Curtsinger stated that the first thing that should be remembered is you folks were the ones to vote this ordinance in originally. You changed from 30 to 15 feet. I believe it is going to be hard to explain to the public and it may be legal issues. He noted that it appears to him that a lot of money is coming in and this will not contribute much more funding. He noted that Alderman Dugger should understand that he is an insurance man. Some people say that it will reduce premiums and some say that due to the newness they are not sure. Alderman Curtsinger stated that he felt this was a conflict of interest. Alderman Dugger stated that there are numerous rules in regards to credits in the insurance field such as age discount, etc.. He further noted that he does not have his insurance license.

Alderman Curtsinger stated that anything that could make insurance rates higher would be a possibility of conflict.

Alderman Dugger noted that if he was concerned about raising insurance rates he would not worry about the ISO rating.

Counsel Notestine noted that he did not see a conflict due to this board not setting insurance rates.

Alderman Curtsinger stated that he wanted it on record that he asked Alderman Dugger to recuse himself and he disagreed there was a conflict.

Alderman Curtsinger further stated that he wanted to go on record stating that TCA does not allow this vote and he will show this to counsel. Mayor Knapper stated that counsel does not feel there is a conflict.

The vote was then called with Mayor Knapper, Aldermen Dugger and Felts for, and Aldermen Alexander and Curtsinger against. This ordinance passed on second reading.

Second Reading of Ordinance #05-07, an ordinance to amend the zoning ordinance to rezone property from OI to CS (Haley). Counsel Notestine briefly described this ordinance and Engineer Woodroof pointed to a map locating this property. Alderman Dugger made a motion to approve this ordinance, Alderman Alexander seconded and this passed unanimously.

Second reading of Ordinance #05-08, an ordinance to rezone property from SR to CS (Nolensville Family Care). Engineer Woodroof noted that the overlay will apply to this property. Alderman Dugger asked Counsel that if he had his real estate license would he be in conflict to vote on this ordinance. Counsel Notestine stated that he did not see a conflict. Alderman Felts made a motion to approve this ordinance, Mayor Knapper seconded and this was approved unanimously.

Second reading of Ordinance #05-09, an ordinance to zone property currently known as the Nolensville Mobile Home Park. Mayor Knapper noted that this property was not currently zoned therefore this ordinance will zone this property. Counsel Notestine stated

that this is zoned by use. Alderman Alexander made a motion to approve this ordinance, Alderman Dugger seconded and this passed unanimously.

Second reading of Ordinance #05-10, an ordinance to amend the zoning ordinance in regards to car washes. Counsel Notestine noted that this was basically a housekeeping ordinance. Mayor Knapper made a motion to approve Alderman Felts seconded and this passed unanimously.

First reading of Ordinance #05-12, an ordinance to adopt a budget for fiscal year 2005-2006. Counsel noted this is a budget ordinance that will have a public hearing and second reading. Mayor Knapper went over the budget noting various issues. He further noted there would be a public hearing next month. Alderman Dugger made a motion to approve, Mayor Knapper seconded and this passed unanimously.

Mayor Knapper adjourned the meeting at 8:12 p.m.

Respectfully submitted,

Cindy Lancaster
Town Recorder

Approved,

Charles F. Knapper
Mayor